

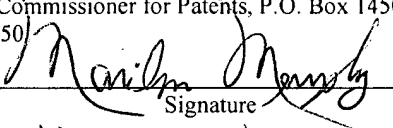
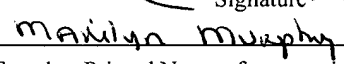
LPC Rec'd PCT/PTO 26 JUN 2006

**ATTORNEY'S DOCKET NUMBER: 2006691-0002**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Brisson, *et al.*  
Serial Number: 10/561,053  
Filed: December 16, 2005  
Title: PLANT TRANSCRIPTIONAL ACTIVATOR AND USES THEREOF

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Certificate of Mailing	
I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
June 22, 2006	
Date	Signature
	
	Typed or Printed Name of person signing certificate

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371 IN**  
**THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

In response to the Notification Of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) that was mailed by the U.S. Patent and Trademark Office on March 22, 2006 in the above-referenced application, Applicant submits herewith:

- 1) Response to Notification Of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) (2 pages);
- 2) Executed Declaration (3 pages);
- 3) Copy of Notification Of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) (2 pages);
- 4) Credit Card Payment Form authorizing payment of Declaration surcharge fee in the amount of \$130.00 (large entity) (1 page);
- 5) Petition for Extension of Time (1 page);
- 6) Credit Card Payment Form authorizing payment of Extension Fee in the amount of \$120.00 (large entity) (1 page);
- 7) Appointment of Attorney for Valorisation Recherche, Limited Partnership (1 page);
- 8) Appointment of Attorney for University of North Carolina at Chapel Hill (1 page);
- 9) Statement Establishing Right of Assignee to Take Action (37 CFR § 3.73(b) with copy of Assignment for Valorisation Recherche, Limited Partnership (6 pages);

06/30/2006 GFREY1 00000135 10561053

01 FC:1617  
02 FC:1251

130.00 OP  
120.00 OP

U.S.S.N. 10/561,053  
4094403\_1.DOC

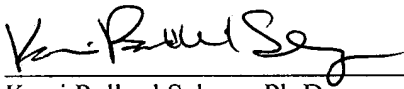
- 10) Statement Establishing Right of Assignee to Take Action (37 CFR § 3.73(b) with copy of Assignment for University of North Carolina at Chapel Hill (4 pages);
- 11) Submission of Sequence Listing under 37 C.F.R. §1.821 (1 page);
- 13) Paper copy of Sequence Listing (4 pages);
- 14) Computer-readable diskette copy of the Sequence Listing; and
- 15) Return receipt postcard.

Applicant requests a one (1) month extension of time from May 22, 2006 to and including June 22, 2006. Enclosed is a Petition for Extension of Time and Credit Card Payment Form authorizing payment of the extension fee in the amount of \$120.00 (large entity).

Applicants note small entity was inadvertently indicated in the application papers as filed, however, fees were paid as large entity. All fees associated with this application should be paid as large entity. It is believed no additional fees and/or extensions are required with this submission, however, if any additional fees or extensions are required, please consider this a petition therefor. Kindly charge any additional fees associated with this filing or credit any overpayments to our Deposit Account No. 03-1721.

Respectfully submitted,  
CHOATE, HALL & STEWART LLP

Dated: June 22, 2006

  
Kerri Pollard Schray, Ph.D.  
Reg. No. 47,066

PATENT DEPARTMENT  
CHOATE, HALL & STEWART LLP  
Two International Place  
Boston, MA 02110  
Tel.: (617) 248-5000  
Fax.: (617) 248-4000

BHJ/KR/LAW



# United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/561,053	Normand Brisson	2006691-0002 (10662-121US)

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/CA04/00907

I.A. FILING DATE	PRIORITY DATE
06/18/2004	06/20/2003

Choate Hall & Stewart  
 Two International Place  
 Boston, MA 02110

*MR Response*  
**Due** 5.22.06  
**Final** 10.22.06

CONFIRMATION NO. 9433

371 FORMALITIES LETTER



\*OC000000018321884\*

Date Mailed: 03/22/2006

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/16/2005
- Copy of the International Search Report filed on 12/16/2005
- Copy of IPE Report filed on 12/16/2005
- Information Disclosure Statements filed on 12/16/2005
- Biochemical Sequence Diskette filed on 12/16/2005
- Biochemical Sequence Listing filed on 12/16/2005
- U.S. Basic National Fees filed on 12/16/2005
- Priority Documents filed on 12/16/2005

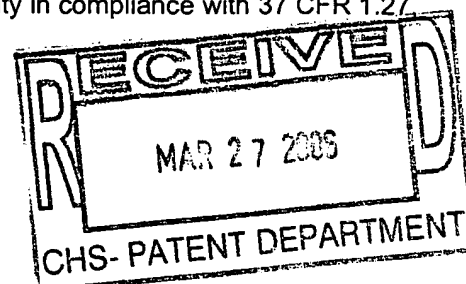
The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27 must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:



- **\$65 Surcharge.**

- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/561,053	PCT/CA04/00907	2006691-0002 (10662-121US